NEW ALEXANDRIA BOROUGH WESTMORELAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 68 163

AN ORDINANCE OF THE BOROUGH OF NEW ALEXANDRIA, COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA AMENDING ORDINANCE NO. 68 OF THE CODE OF ORDINANCES OF THE BOROUGH OF NEW ALEXANDRIA, COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA THAT REGULATES GRASS, WEEDS, AND/OR VEGETATION UPON REAL ESTATE.

SECTION ONE.

A. No person or persons, partnership, joint venture, corporation or any other organization or entity who owns or occupies any property within the Borough of New Alexandria shall permit grass or weeds or any vegetation whatsoever not edible or planted for some useful or ornamental purpose to grow or remain upon such premises as to exceed a height of six (6) inches nor shall any noxious weed prohibited by the Noxious Weed Control Law 3 PS §255.8 (or by regulations of the Department of Agriculture) be permitted to grow within the Borough of New Alexandria.

B. Any grass, weeds or other vegetation growing upon any premises in the Borough of New Alexandria in violation of any of the provisions of the section is hereby declared a nuisance and a detriment to the health, safety, cleanliness and comfort of the inhabitants of the Borough of New Alexandria.

SECTION TWO.

A. The owner of any premises or the occupant of any premises occupied, other than the owner, shall remove, trim or cut all grass, weeds or other vegetation growing or remaining upon such premises in violation of this Ordinance.

SECTION THREE.

A. The Borough of New Alexandria's Code Enforcement Officer or any other designated employee of the Borough of New Alexandria is hereby authorized to give notice, by personal service, by posting or by Certified United States Mail, to the owner or occupant as the case may be of any premises whereon grass, weeds or other vegetation is growing or remaining in violation of the provisions of this Ordinance, directing and requiring such owner or occupant to remove, trim or cut such grass, weeds, or other vegetation so as to conform to the requirements of this Ordinance within five (5) days after issuance of such notice. Whenever, in the judgment of the

Borough of New Alexandria's Code Enforcement Officer or other designated Borough employee it shall appear to be impractical to give notice as above provided, either because the owner or occupant cannot readily be found or because a search for the owner or occupant would entail unreasonable delay, the New Alexandria Borough's Code Enforcement Officer or any designated employee by the Borough may give notice by conspicuously posting the property where such nuisance exists a notice or order directing and requiring that such nuisance be abated within five (5) days.

SECTION FOUR.

A. Any person who violates or permits the violation of any provision of this Ordinance shall, upon conviction thereof in a summary proceeding brought before a District Judge under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense, and shall be subject to the payment of a fine of not less than \$300.00 and not more than \$1,000.00, plus the costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a period of not more than 30 days. Each section of this Ordinance violated shall constitute a separate offence, and each day or portion thereof in which a violation of this chapter is found to exist shall constitute a separate offense, each of which violations shall be punishable by a separate fine imposed by the District Justice of not less than \$300.00 and not more than \$1,000.00, plus the costs of prosecution, or upon default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a term of not more than 30 days. All fines and penalties collected for the violation of this chapter shall be paid to the Borough of New Alexandria.

SECTION FIVE.

A. In the event that any provision, section, sentence, clause or part of this Ordinance is held to be invalid, such invalidity shall not effect or impair any remaining provision, section, sentence, clause or part of the Ordinance, it being the intent of the Borough Council of New Alexandria, Westmoreland County, Pennsylvania that such remainder shall be and shall remain in full force and effect in for this purpose the provisions of this Ordinance are hereby declared severable.

SECTION SIX.

A. All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

This Ordinance shall become effective within fourteen days from the date of adoption.

ADOPTED AND ENACTED by the County of Westmoreland, Commonweat November, 2020.	he Council of the Borough of New Alexandria alth of Pennsylvania, on the day of
	President
ATTEST: Cly Mildona	- v
	Secretary
APPROVED THIS // DAY OF	Wernle, 2020.
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